



U.S Department of Labor

Office of Inspector General

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The OIG Mission

The Office of Inspector General serves the American Worker and Taxpayer by conducting audits, investigations, and evaluations that result in improvements in the effectiveness, efficiency, and economy of Departmental programs and operations. We detect and prevent fraud and abuse in DOL programs and labor racketeering in the American workplace. We provide advice to the Secretary and the Congress on how to attain the highest possible program performance.

The OIG Vision

Our vision is to be a world-class organization that is sought after:

- By the Congress - for objective, relevant information;
- By the Administration - for expert advice and reliable assessments; and,
- By talented professionals - for careers in an agency that recognizes outstanding public service.

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Background of the Office of Inspector General

The OIG was established at the Department of Labor (DOL) by the Inspector General Act of 1978. The Congress created independent OIGs in response to a series of government scandals that had occurred over the preceding decade. Congress believed that by establishing independent Inspectors General within each major Federal agency taxpayers' funds could be more prudently used and accurately accounted for; the government would be better equipped to prevent and detect fraud, waste, and abuse; and the public's confidence in their government would be enhanced. For more information on Inspectors General in Federal government, please visit the website of the President's Council on Integrity and Efficiency.

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Functions and Responsibilities of the OIG

EXHIBIT A

2/23/2006

The OIG conducts audits and evaluations to review the effectiveness, efficiency, economy, and integrity of all DOL programs and operations, including those performed by its contractors and grantees. They are conducted in order to determine whether: the programs and operations are in compliance with the applicable laws and regulations; DOL resources are efficiently and economically being utilized; and DOL programs achieve their intended results.

In addition, the OIG at the U.S. Department of Labor:

- is responsible for conducting criminal, civil, and administrative investigations relating to alleged or suspected violations of Federal laws, rules or regulations, as they pertain to DOL programs, operations, and personnel;
- is unique among inspectors general because it has an "external" program function to conduct criminal investigations to combat the influence of labor racketeering and organized crime in the nation's labor unions.
- conducts labor racketeering investigations in three distinct areas (employee benefit plans, labor-management relations, and internal union affairs).

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The Inspector General's Independence

The Inspector General:

- Is nominated by the President and confirmed by the Senate, without regard to political affiliation and solely on the basis of integrity and demonstrated ability. The IG is non-political and, therefore, is subject to the Hatch Act. An IG may only be removed by the President, who must notify both Houses of Congress of the reasons for such removal.
- Has independent authority within the Department to initiate and conduct audits and investigations and to issue administrative subpoenas to individuals or entities outside the Federal government in order to obtain full access to documents and records. The OIG also has access to all records, reports, papers, documents, and other materials available to the Department, as well as the authority to request information or assistance from any Federal, state, or local government agency and to report any refusals to the agency head without delay.
- Has authority to have direct and prompt access to the Secretary for any purpose relating to the performance of the OIG's mission and responsibilities.
- Is under the general supervision of the Secretary and Deputy Secretary for administrative issues. The IG has the authority to select and appoint employees, directly contract for program services, and maintain legal counsel who reports directly to the IG.

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How the OIG Plans its Work

The OIG develops its strategic work plan through consultations with its customers, stakeholders and others including DOL program management, Congressional committees, U.S. Attorneys, the Government Accountability Office, and other

government entities. In addition, the Secretary and the Congress may request the OIG to perform an audit, evaluation, or investigation.

For its audits, the OIG prioritizes the potential areas, and – based on a risk assessment that considers program dollar size, vulnerability to abuse, potential impact on the public, and prior audit and investigative history – develops a comprehensive, coordinated strategy to address those high-priority areas. After consideration of the availability of OIG staff resources and any planned initiatives of other government entities, the OIG develops its annual work plan of initiatives, and then shares it with DOL management.

Program fraud investigations typically result from allegations or suspicions of wrongdoing involving DOL programs, operations or personnel. They may also be the result of broad initiatives arising out of prior OIG activities, or as part of broad interagency initiatives, normally in consultation with the appropriate U.S. Attorneys.

Labor racketeering investigations give highest priority to traditional organized crime domination of labor unions and/or employee benefit plans. Priority is also given to organized crime influence or manipulation of labor unions and/or employee benefit plans, and cases where the perpetrators are not members of traditional organized crime, but can be considered (either by criminal background or the nature of the activity) to be professional criminals who have used a position of trust or control for criminal purposes.



How the OIG Reports on its Work

Typically, OIG staff advises DOL management and/or the auditee of findings as they are developed during the course of an audit or evaluation. Before issuing a report, an exit conference is held to communicate the results to appropriate program or agency management and to obtain their comments. This management input is important to ensure that audit or evaluation results are fairly presented, recommendations are reasonable and feasible, and any errors or misrepresentations are corrected. Following the exit conference, a draft report is issued to the appropriate assistant secretary, with a request that management provide written comments on the facts, conclusions, and each recommendation presented in the report – normally within 30 days. At the end of the response period, the OIG issues its final report.

Recommendations are considered resolved when managers and the auditors or evaluators agree on the required corrective actions. After the agreed-upon corrective actions have been completed, the recommendations are considered closed. When recommendations cannot be resolved because of disagreement between the management officials and the OIG, the matter may be referred to the Deputy Secretary who serves as the DOL Audit Follow-up Official and ensures that disagreements between the OIG and the Agency are resolved.

Reports of OIG investigations are presented to the U.S. Attorney's Office, or other appropriate prosecutive office, for consideration of criminal and/or civil actions. The OIG also may issue an Investigative Memorandum to agency management when investigative findings may warrant an administrative action or when systemic weaknesses or vulnerabilities are identified in agency programs or operations.

The OIG also keeps the Secretary and Congress informed in a number of other ways.

These include meetings and briefings; the Top Management Challenges, which is included in the Department's Annual Report; Congressional testimony; the IG's Semiannual Report to the Congress (which the Secretary transmits to the Vice President and the Speaker of the House within 30 days of its receipt); and a special seven-day report for notifying the Secretary and the Congress of any particularly serious or flagrant problems requiring immediate attention.

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